

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

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UNITED STATES OF AMERICA )

Plaintiff, )

vs. )

BRENDA J. PENN )

Defendant. )

2006 JUL 12 P 12:42

DEBRA D. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Case No.: 2:05cr315-SRW

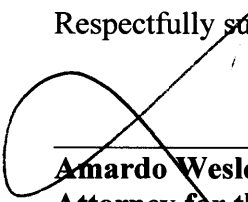
**MOTION FOR CONTINUANCE**

COMES NOW, Defendant Brenda J. Penn, by and through his undersigned counsel and move this Honorable Court for a continuance of the trial set for July 17, 2005 in the above-styled cause. In support thereof, defendant shows the court as follows:

1. The defendant and the government have agreed to dispose of this case via pre-trial diversion. There is a pending pre-trial diversion investigation and this cause will not be ready for trial as scheduled. The defendant and the government are in agreement that a continuance is in order. Further counsel for the defendant will be out of the country.
2. Contemporaneously filed herewith is a notice of waiver of speedy trial and the defendant's waiver of her right to a speedy trial.

**WHEREFORE, PREMISES CONSIDERED,** defendant moves the court for a continuance of the trial.

Respectfully submitted,

  
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**Amardo Wesley Pitters, Esquire**  
**Attorney for the Defendant**  
**Attorney Bar Code: PIT025**

**OF COUNSEL:**

**A. WESLEY PITTERS, P.C.**  
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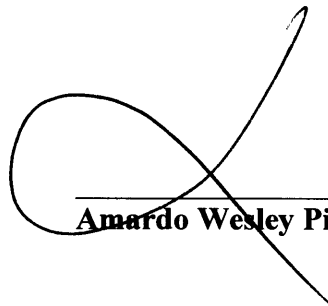
**CERTIFICATE OF SERVICE**

I hereby certify that on this the 12 day of July, 2006, a copy of the foregoing  
was duly served upon the following counsel of record:

**Hon. Kent Brunson**  
**Assistant United States Attorney**  
**Office of the United States Attorney**  
**Criminal Division**  
**Middle District of Alabama**  
**Post Office Box 197**  
**Montgomery, Alabama 36101-0197**

**Hon. Neal B. Frazier**  
**Special Assistant United States Attorney**  
**HQ AU/JA**  
**50 LeMay Plaza South**  
**Maxwell AFB, Alabama 36112-6334**

by United States Mail.

  
\_\_\_\_\_  
**Amardo Wesley Pitters, Esquire**